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PATENT

Attorney Docket No. HOGAN-06650

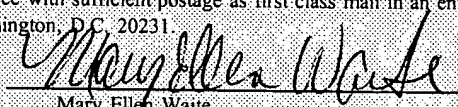
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kirk Hogan
Serial No.: 09/976,423
Filed: 10/12/01
Entitled: Methods and Compositions for Perioperative Genomic Profiling

Group No: 1634
Examiner: J.A. Goldberg

AMENDMENT TRANSMITTAL

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(I)(A)	
I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.	
Dated: April 14, 2003	By:  Mary Ellen Waite

Sir or Madam:

Transmitted herewith is an amendment for this application. The fee has been calculated as shown below.

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDITIONAL FEE
Total Claims	27	—	23	4	×	18.00	\$72.00
Independent Claims	3	—	3	0	×	84.00	\$0.00

SUBTOTAL \$72.00

Small Entity 50% Filing Fee Reduction — \$36.00

TOTAL DUE \$36.00

1. A check in the amount of \$36.00 is attached.
2. Please charge any additional fees, including any fees necessary for extensions of time, or credit overpayment to Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: April 14, 2003

By: 

David A. Casimir
Registration No. 42,395

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101 Howard Street, Suite 350
San Francisco, California 94105
608/218-6900

**PATENT**Attorney Docket No. **HOGAN-06650****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Kirk Hogan**
Serial No.: **09/976,423** Group No.: **1634**
Filed: **10/21/2001** Examiner: **J.A. Goldberg**
Entitled: **Methods and Compositions for Perioperative Genomic Profiling**

**AMMENDMENT AND RESPONSE TO OFFICE
ACTION DATED JANUARY 21, 2003**

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: 4-14-03By: L. Mary Ellen Waite
Mary Ellen Waite

Madam:

The following communication is responsive to the Office Action mailed January 21, 2003, due on or before April 21, 2003. The Applicant respectfully requests reconsideration of the Application in view of the following amendment and remarks.

A clean version of the rewritten, added, and or cancelled claims with instructions for entry pursuant to 37 C.F.R., Section 1.121(c)(1)(i) is included beginning on the next page of this communication. A marked up version of the rewritten, added, and/or cancelled claims pursuant to 37 C.F.R., Section 1.121(c)(1)(ii) is attached as Appendix I. A clean version of the entire set of pending claims pursuant to 37 C.F.R., Section 1.121(c)(3) as they should appear following entry of this amendment is attached as Appendix II.